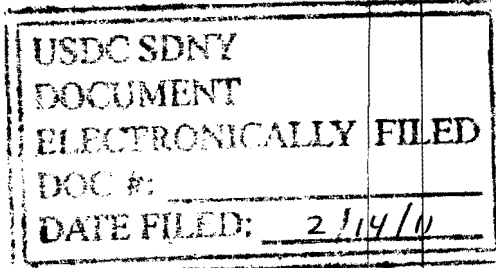


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
JOHN PATIENCE, individually, and
JOHN PATIENCE, as Trustee for The
John Patience Trust, dated June 23,
1993,

Plaintiffs,

- against -

MASSMUTUAL HOLDING LLC,
MASSACHUSETTS MUTUAL LIFE
INSURANCE CO., OPPENHEIMER
ACQUISITION CORP., RYE INVESTMENT
MANAGEMENT, RYE SELECT BROAD
MARKET PRIME FUND L.P., TREMONT
CAPITAL MANAGEMENT, INC.,
TREMONT (BERMUDA) LTD., TREMONT
GROUP HOLDINGS, INC., and TREMONT
PARTNERS, INC.,

Defendants.
-----X

10 Civ. 9251 (TPG)

ORDER

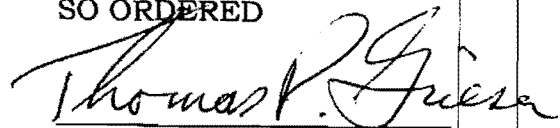
By Order dated February 9, 2011, this court consolidated this action with the Tremont Insurance Action under docket number 09 Civ. 557. This was incorrect. This case should instead be consolidated with the Tremont State Court action under docket number 08 Civ. 11183. The Clerk of the Court is therefore directed to consolidate this case with the State Law Action under docket number 08 Civ. 11183.

Any document hereinafter filed in connection with the above-captioned case must be filed under the master docket, 08 Civ. 11117.

The parties are directed to read this Court's Order and Memorandum, both dated March 26, 2009, which can be found under the master docket. These documents prescribe the requirements for future submissions to this Court.

Dated: New York, New York
February 10, 2011

SO ORDERED

A handwritten signature in black ink, appearing to read "Thomas P. Griesa", written over a horizontal line.

Thomas P. Griesa
U.S.D.J.